IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

WP(C).No. 35067 of 2007(Y)

PETITIONER:

M/S.RMP INFOTEC PRIVATE LIMITED,
TC 38/82, NETAJI GROUND, ARANATTUKARA ROAD,
WEST FORT, THRISSUR DISTRICT, REPRESENTED
BY ITS BRANCH MANAGER SMT.SHOBY.T.P.

BY ADV. SRI.BOBBY JOHN
SRI.TOMSON T.EMMANUEL

RESPONDENTS:

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1. THE SALES TAX OFFICER,
COMMERCIAL TAXES, IIIRD CIRCLE,
THRISSUR.

2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, ERNAKULAM.

3. THE VILLAGE OFFICER,
ARANATTUKARA, THRISSUR.

4. THE INTELLIGENCE OFFICER,
SQUAD NO.4, COMMERCIAL TAXES, THRISSUR.

BY G.P.SRI.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Antony Dominic, J.

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W.P.(C) No. 35067 of 2007

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Dated this the 28th day of November, 2007

JUDGMENT

Against Ext.P6 order of assessment for the year 2002-'03, the petitioner has filed Ext.P7 appeal before the 2nd respondent with Ext.P8 petition for early hearing of the appeal and Ext.P9 petition for stay. While the appeal and the petitions are pending before the 2nd respondent, revenue recovery proceedings have been initiated by Exts.P10 and P11 notices.

2. The petitioner submits that while total liability is Rs.1,06,000/-, more than Rs.1,25,000/- is due to be refunded to him. Since the matter is pending consideration before the 2nd respondent appellate authority, I dispose of this writ petition directing the 2nd respondent to consider Ext.P9 stay petition as expeditiously as possible and at any rate within three weeks from the date of production of copy of this judgment. In the meanwhile, further proceedings pursuant to Exts.P10 and P11 notices will be deferred for a period of four weeks.

3. It is also submitted that a direction may be issued to the 1st respondent to return Ext.P12 series of certificates to the petitioner. In the circumstances, the 1st respondent is directed to consider the matter and shall

pass orders as expeditiously as possible and at any rate within six weeks from the date of production of a copy of this judgment.

The writ petition is disposed of as above.

Antony Dominic,
Judge.

mn.